



## Ohio Board of Nursing

[www.nursing.ohio.gov](http://www.nursing.ohio.gov)

17 S. High Street, Suite 660 • Columbus, Ohio 43215-3466 • 614-466-3947

I certify that the attached records are a true copy of Ohio Board of Nursing disciplinary records.

*Betsy J. Houchen*

Betsy Houchen, R.N., M.S., J.D.  
Executive Director





# Ohio Board of Nursing

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17 South High Street, Suite 400 • Columbus, Ohio 43215-7410 • (614) 466-3947

## **CONSENT AGREEMENT BETWEEN KATHYRN M. MAISTROS, R.N., C.N.M. AND OHIO BOARD OF NURSING**

This Consent Agreement is entered into by and between **KATHYRN M. MAISTROS, R.N., C.N.M. (MS. MAISTROS)** and the Ohio Board of Nursing (Board), the state agency charged with enforcing Chapter 4723, of the Ohio Revised Code (ORC), and all administrative rules promulgated thereunder.

This Consent Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Consent Agreement.

### **BASIS FOR ACTION**

This Consent Agreement is entered into on the basis of the following stipulations, admissions and understandings:

- A. The Board is empowered by Section 4723.28, ORC, to deny, permanently revoke, revoke, suspend, or place restrictions on any certificate of authority issued by the Board; reprimand or otherwise discipline a certificate of authority; or impose a fine of five hundred dollars (\$500.00) or less per violation. Section 4723.28(B)(16), ORC, authorizes the Board to discipline a licensee for violation of Chapter 4723, ORC, or any rules adopted under it. Specifically, 4723.44(C), ORC, provides that no certified registered nurse anesthetist, clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner shall do any of the following: (5) Prescribe drugs or therapeutic devices unless the nurse holds a current, valid certificate to prescribe issued under section 4723.48 of the Revised Code. 4723.485(A)(1), ORC, states that a certificate to prescribe issued under section 4723.48 of the Revised Code as an externship certificate is valid for not more than one year. Rule 4723-9-05(C), Ohio Administrative Code, states that the externship certificate to prescribe shall be considered current for one year following issuance of the certificate by the board.
- B. In Ohio, **MS. MAISTROS** has been licensed to practice nursing a registered nurse, RN-272466 since June 1997. **MS. MAISTROS** was initially issued her certificate of authority to practice as a certified nurse midwife, COA-14810, in July 2013. Both **MS. MAISTROS's** license as a registered nurse and her certificate of authority to practice as a certified nurse midwife are

currently active. **MS. MAISTROS** was initially issued an externship certificate to prescribe, RX-14810, in July 2013. **MS. MAISTROS's** externship certificate to prescribe lapsed on July 31, 2014.

- C. **MS. MAISTROS** knowingly and voluntarily admits that from on and/or after July 31, 2014 until on or about September 25, 2014, she continued to issue prescriptions as a certified nurse midwife at the Neighborhood Family Practice in Cleveland, Ohio, without holding a current, valid certificate to prescribe.
- D. On or about September 25, 2014, **MS. MAISTROS** submitted her completed Supplemental Information for Reinstatement of her Certificate to Prescribe to the Board.
- E. **MS. MAISTROS** has provided the Board with her Verification of Completion of Externship Hours and OAAPN Schedule II course completion certificate.
- F. Upon the Board's receipt of a signed Consent Agreement and successfully meeting the requirements for renewal, **MS. MAISTROS** shall be issued a certificate to prescribe.

#### **AGREED CONDITIONS**

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, **MS. MAISTROS** knowingly and voluntarily agrees with the Board to the following terms, conditions and limitations: **MS. MAISTROS's** license to practice nursing as a registered nurse, her certificate of authority to practice as a certified nurse midwife, and her certificate to prescribe shall be **REPRIMANDED**.

- 1. **MS. MAISTROS** is hereby fined five hundred dollars (\$500.00), and within six (6) months of the effective date of this Consent Agreement, **MS. MAISTROS** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or by money order payable to the "Treasurer, State of Ohio". Payment for the fine of five hundred dollars (\$500.00) shall be mailed to the attention of the Compliance Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, Ohio, 43215-7410.
- 2. Within six (6) months of the effective date of this Consent Agreement, **MS. MAISTROS** shall, in addition to the requirements of licensure renewal, successfully complete and submit satisfactory documentation of successful completion of the following continuing nursing education, or another comparable course approved in advance by the Board or its designee, taken subsequent to the effective date of this Consent

**Agreement:** two (2) hours of Ohio Nursing Laws and Rules; five (5) hours of Professional Accountability and Legal Liability for Nurses; and six (6) hours of prescribing.

### **FAILURE TO COMPLY**

**MS. MAISTROS** agrees that her license to practice nursing as a registered nurse, certificate of authority to practice as a certified nurse midwife, and her externship certificate to prescribe, or any certificate to prescribe issued to her, will be automatically suspended if it appears to the Board that **MS. MAISTROS** has violated or breached any terms or conditions of the Consent Agreement. Following the automatic suspension, the Board shall notify **MS. MAISTROS** via certified mail of the specific nature of the charges and automatic suspension of her license and certificates. Upon receipt of this notice, **MS. MAISTROS** may request a hearing regarding the charges.

The above described terms and conditions shall constitute “restrictions placed on a license” and “restrictions placed on a certificate” for purposes of Section 4723.28(B), ORC. If, in the discretion of the Board, **MS. MAISTROS** appears to have violated or breached any terms or conditions of this Consent Agreement, the Board reserves the right to institute formal disciplinary proceedings for any and all possible violations or breaches, including, but not limited to, alleged violations of the laws of Ohio occurring before the effective date of this Consent Agreement.

### **MODIFICATION OF TERMS**

The terms, limitations and conditions of this Consent Agreement may be modified or terminated in writing at any time upon the agreement of both **MS. MAISTROS** and the Board.

### **ACKNOWLEDGMENTS/LIABILITY RELEASE**

**MS. MAISTROS** acknowledges that she has had an opportunity to ask questions concerning the terms of this Consent Agreement and that all questions asked have been answered in a satisfactory manner.

**MS. MAISTROS** waives all of her rights under Chapter 119, ORC, as they relate to matters that are the subject of this Consent Agreement.

**MS. MAISTROS** waives any and all claims or causes of action she may have against the Board, and its members, officers, employees and/or agents arising out of matters that are the subject of this Consent Agreement.

This Consent Agreement shall be considered a public record as that term is used in Section 149.43, ORC. The information contained herein may be reported to appropriate organizations, data banks and governmental bodies.

Kathryn M. Maistros, R.N., C.N.M.  
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This Consent Agreement is not an adjudication order within the meaning of Section 119.01(D), ORC. Any action initiated by the Board based on alleged violations of this Consent Agreement shall comply with the Administrative Procedures Act, Chapter 119, ORC.

**EFFECTIVE DATE**

**MS. MAISTROS** understands that this Consent Agreement is subject to ratification by the Board prior to signature by the Board President and shall become effective upon the last date of signature below.

Kathryn Maistros, CNM  
KATHYRN M. MAISTROS, R.N., C.N.M.

10/27/14  
DATE

Judith A. Church, DHA, MSN, RN  
JUDITH A. CHURCH, D.H.A., M.S.N., R.N.  
President, Ohio Board of Nursing

11-21-14  
DATE